

WASHINGTON, DC – Virginia Senators Jim Webb and Mark Warner and Congressmen Glenn Nye, Randy Forbes, Rob Wittman, and Bobby Scott today sent a letter to Secretary of Defense Robert Gates calling into question the strategic and legal basis for his recommendation to eliminate the U.S. Joint Forces Command.

“Alone among the U.S. combatant commands, JFCOM is uniquely organized and tasked to develop the joint training, doctrine, and capabilities needed to adjust to the demands of 21st-century combat operations,” the delegation contended. “Unlike the Defense Business Board’s [DBB] cursory review, several in-depth studies each assessed joint force effectiveness and requirements to improve combat capability, and all reached a different conclusion than the DBB. None of these comprehensive reviews recommended the elimination or realignment of JFCOM. On the contrary, they recommended placing increased emphasis on joint warfighting.”

Citing the guidance of legal counsel, the delegation challenged the legality of Secretary Gates’ “apparent strategy to eliminate the command without complying with the provisions of Title 10 U.S. Code, Section 2687 or, alternatively, to propose the command’s elimination be considered as part of a Base Closure and Realignment (BRAC) process.” In the delegation’s view, eliminating the command would result in a number of substantial adverse consequences, including “...the future erosion of our military’s joint warfighting capabilities, the dismissal of thousands of highly skilled civilian federal employees and defense contractors, and a significant adverse economic impact in the Hampton Roads region.”

The delegation called for Sec. Gates to conduct a more complete review of JFCOM’s mission and activities. “Any recommendation to close JFCOM should only be made as part of a BRAC or 10 USC 2687 process,” the Senate and House members said.

The full text of the letter is below:

Dear Secretary Gates,

We write to express our deep disappointment and concern over your recommendation to President Obama to eliminate the U.S. Joint Forces Command. Should he approve your

proposal, a number of substantial negative consequences will result, including the future erosion of our military's joint warfighting capabilities, the dismissal of thousands of highly skilled civilian federal employees and defense contractors, and a significant adverse economic impact in the Hampton Roads region. Furthermore, we are deeply troubled by your lack of prior consultation with Congress on this matter and your apparent strategy to eliminate the command without complying with the provisions of Title 10 U.S. Code, Section 2687 or, alternatively, to propose the command's elimination be considered as part of a Base Closure and Realignment (BRAC) process.

Congress has played a leading oversight role to improve our military's joint warfare capabilities dating to passage of the Goldwater-Nichols Department of Defense Reorganization Act of 1986. Congress was moved to act due to significant shortcomings in joint operations, training, doctrine, and communications revealed during U.S. military operations in the 1980s. Guided by the recommendations of the Packard Commission and a former chairman of the Joint Chiefs of Staff, the Goldwater-Nichols bill resulted in the most significant reorganization of DoD since the National Security Act of 1947.

JFCOM's mission embodies all that Senator Goldwater, Congressman Nichols, and their colleagues envisioned nearly 25 years ago when they led the way to ensure that all branches of our armed forces would be able to fight as an integrated joint team when they go to war. Alone among the U.S. combatant commands, JFCOM is uniquely organized and tasked to develop the joint training, doctrine, and capabilities needed to adjust to the demands of 21st-century combat operations. The command also plays a key role in balancing joint warfighting programmatic requirements with the individual service programs advocated by each military department.

We are also troubled that your recommendation appears to rely upon the findings of a recent Defense Business Board report. Although that report was wide-reaching in its scope, we question the thoroughness of its analysis of JFCOM, its functions, or its operations. According to JFCOM, the Board did not visit the command, request a briefing or any other information, or provide an opportunity to review and comment on the board's findings and recommendations. As yet, we have received no detailed information on the basis for the board's recommendation.

All 24 official and *ex-officio* members of the board have had long, distinguished careers in the corporate world, including defense industries. Several are also members of defense advisory panels or have served as senior civilian officials in DoD or other federal agencies. Only a handful has actually served in uniform and, with the exception of one member, their military service occurred early in their lives. No board member has commanded forces in combat operations in Iraq or Afghanistan—where the imperative for seamless joint operations has been

demonstrated repeatedly. Needless to say, it is deeply disturbing that that you would apparently act on a recommendation that reflects superficial research and a lack of analytical rigor.

It is worth noting that the 2005 BRAC process reviewed and validated JFCOM's mission and contributions to joint warfighting. The DoD panel reviewing the command also recommended that JFCOM purchase its leased spaces to support its permanent presence. As recently as October 2009, JFCOM opened a new 49,000-square-foot Joint Deployment Center and Maritime Operations Center that it shares with the Navy's Fleet Forces Command. This state-of-the-art technological facility enables the two commands to direct maritime operations and collaborate with joint, interagency, and multinational partners as part of their respective missions.

Unlike the Defense Business Board's cursory review, several in-depth studies each assessed joint force effectiveness and requirements to improve combat capability, and all reached a different conclusion than the DBB. None of these comprehensive reviews recommended the elimination or realignment of JFCOM. On the contrary, they recommended placing increased emphasis on joint warfighting. One of the 2009 Quadrennial Roles and Missions Review's primary objectives was to "improve the effectiveness of joint and interagency operations." The 2010 Quadrennial Defense Review stated: "Perhaps more than ever before, the United States requires joint military forces able to function and succeed across a wide geographic and operational spectrum. Moreover, military forces must be capable of working effectively with a range of civilian and international partners."

Finally, we object to your plan to ignore the legislative intent associated with base closure and realignment limitations associated with Title 10 U.S. Code, Section 2687. This provision was established to ensure that Congress has sufficient time and opportunity to review DoD proposals that would result in the closure or realignment of significant military facilities. It also includes requirements intended to ensure that such decisions are made only after a comprehensive review of costs, impacts, and alternatives.

Although compliance with 10 USC 2687 would result in only a few months' delay in implementation of your recommendation to eliminate JFCOM, your closure strategy appears to have been crafted to avoid the need to comply with its statutory requirements. A clause in the section allows for workload reductions that do not count against the realignment limitation, but we are informed by legal counsel that the department's reliance on it in this instance is clearly in violation of the legislative intent of this law. It would set the unacceptable precedent that DoD could close or realign any installation without compliance with the section. Furthermore,

JFCOM occupies a major leased facility in Suffolk, Virginia, that should not be considered part of Naval Station Norfolk or any other military installation. Your JFCOM recommendation also would result in the closure of this facility, thus requiring compliance with 10 USC 2687.

We recognize that the department has not, in recent history, applied 10 USC 2687 for base closures and realignments. Instead, the Congress and the department have reached major decisions on military installations through the Base Closure and Realignment (BRAC) process. BRAC was crafted to avoid political interference and to ensure that decisions are made only after complete and impartial reviews of impacts, costs, savings, and alternatives.

As you know, the last BRAC round was conducted in 2005, and its actions are nearing completion next year. Eliminating the Joint Forces Command poses significant implications for the future conduct of joint operations, entails financial and personnel costs, and will result in a substantial adverse economic impact on the local community. We believe that your recommendation to close JFCOM would more appropriately be considered within the context of a BRAC process. We understand that you have “authorized each of the military departments to consider consolidation or closure of excess bases and other facilities where appropriate.” This guidance, coupled with the failure to adhere to the legislative intent of 10 USC 2687 and your intent to conduct base closures or realignments outside of the BRAC process, is cause for concern.

We continue to support your efforts to reduce costs and eliminate waste and duplication within the Department of Defense. However, it is of the utmost importance that decisions relating to base realignments and closures are considered within an established and authorized process. As such, we urge you to conduct a more complete review of JFCOM’s mission and activities without a predisposed intent to close the command. Any recommendation to close JFCOM should only be made as part of a BRAC or 10 USC 2687 process.

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